

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Schneider et al.

Examiner: Leah H. SCHLIENTZ

Serial No.: 10/584,327

Art Unit: 1618

Filing Date: June 21, 2006

Confirmation No.: 4727

For: Gas-Filled Microvesicle Assembly For Contrast Imaging

Electronically Filed Using the EFS-WEB Electronic Filing
System of the United States Patent and Trademark Office
on: **January 20, 2011**.

- 1) Transmittal: 2pp;
- 2) IDS transmittal: 3pp;
- 3) Form PTO/SB/08A: 4pp; and
- 4) Copies of JP and corresponding WO publications: 4 references

Mail Stop Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**UNDER 37 CFR §§§ 1.56, 1.97 AND 1.98**

Sir:

Supplemental to the Information Disclosure Statements ("IDS") filed 6/21/2006 and 9/06/2006, both of which were considered by the Examiner, Applicants respectfully submit the immediate Information Disclosure Statement listing additional art cited in the related Japanese application no. 2006-546389, now published as JP2007-515470A on 6/14/2007.

Specifically, the following Japanese references, cited in an Office Action issued 12/07/2010, include the corresponding WO publication equivalents:

- 1) JP2001-511765: corresponds to WO98/18500A2; and
- 2) JP2007-515471: corresponds to WO2005/063306A1

It is respectfully requested that this Information Disclosure Statement and the references identified on the Form PTO/SB/08A, a copy of which is being transmitted, be considered during the pendency of the prosecution of the immediate application pursuant to §§§ 1.56, 1.98 and 1.97:

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(b)

An information disclosure statement shall be considered by the Office if filed by the applicant within any one of the following time periods:

☐

(1)

within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d)

- ☐ (2) within three months of the date of entry of the national stage as set forth in § 1.491 in an international application
- ☐ (3) before the mailing of a first Office action on the merits; or
- ☐ (4) before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.
- ☒ (c) An information disclosure statement shall be considered by the Office if filed after the period specified in paragraph (b) of this section, provided that the information disclosure statement is filed before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by one of
- ☒ (1) the statement specified in paragraph (e) of this section; or
- ☐ (2) the fee set forth in § 1.17(p).
- ☐ (d) an information disclosure statement shall be considered by the Office if filed by the applicant after the period specified in paragraph (c) of this section, provided that the information disclosure statement is filed on or before payment of the issue fee and is accompanied by:
- ☐ (1) the statement specified in paragraph (e) of this section; and
- ☐ (2) the fee set forth in § 1.17(p).
- ☒ (e) a statement under this section must state either:
- ☒ (1) that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- ☐ (2) that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.
- ☒ (g) An information disclosure statement filed in accordance with section shall not be construed as a representation that a search has been made
- ☒ (h) The filing of an information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b).

Applicants further request that:

1. The references identified on the enclosed Form PTO/SB/08A be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

2. The enclosed Form PTO/SB/08A be appropriately initialed by the Examiner, and a copy of same be returned to Applicants' attorney.

Pursuant to 37 CFR 1.97(c), the fee of \$180.00 is not believed to be due with the filing of this Information Disclosure Statement as it is being filed under 37 C.F.R§ 1.97(c)(1)(e). However, should the requisite fee of \$180.00 be due with the filing of this Information Disclosure Statement, the Director is hereby authorized to charge any fees due, or credit any overpayments to Deposit Account No. 50-2168.

Early and favorable action is hereby requested.

Respectfully submitted,

January 20, 2011
Date

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